

REMARKS

Claims 1, 2 and 5 through 15 are pending in the application. Applicants have canceled claims 3 and 4. Claims 12 through 15 have been added. Applicants note with appreciation the fact that the Action has stated that claims 3, 4, 10 and 11 would be allowable if rewritten in independent form.

Claims 1 and 2 stand rejected under 35 U.S.C. §102(b) as being anticipated by WO 00/50098 to Quincy et al. (Quincy).

Claim 1 now includes the novel feature of claim 3, namely the feature that the one or more odor adsorbent materials are naturally sourced. Therefore, pursuant to the Office Action statement that claim 3 is directed to allowable subject matter, and would be allowable if rewritten in independent form including the limitations of the base claim, it follows that claim 1 is patentably distinguishable over Quincy.

As such reconsideration and withdrawal of the §102(b) rejection of claim 1, and claim 2, which depends directly from claim 1, is respectfully requested.

Claims 5 through 9 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 7 of U.S. Patent No. 6,248,274 in view of Quincy. Applicants respectfully submit, attached herewith, a terminal disclaimer pursuant to 37 CFR 1.130(b), which effectively overcomes the obviousness-type double patenting rejection.

New independent claim 12 recites a method of manufacturing a catamenial/tampon product. The method includes the steps of (a) forming a plurality of fibers and, during the process of forming, incorporating in the fibers one or more odor adsorbent materials selected from the group consisting of glycerin, glycerin compound, aldehyde, natural oil, solution of soluble natural compound, natural plant and herb extract, naturally occurring deodorizing active, base, oxidant, ester, masking agent,

sensory receptor alterant, oxidizing agent, biological agent, and any mixtures thereof; and (b) forming the plurality of fibers into the catamenial/tampon product.

Quincy discloses a process of making a catamenial/tampon product that includes the step of incorporating an odor adsorbent material in the product. Notably, Quincy limits the type of odor adsorbent used in their invention to a surfactant-modified odor control agent that includes a chelating agent.

What Quincy clearly fails to disclose or suggest is a method for forming a catamenial/tampon product that has one or more of the claimed odor adsorbent materials incorporated into the fibers during the process of forming the fibers, as recited in claim 12. In fact, Quincy fails to disclose or suggest the use of any odor adsorbent materials other than a surfactant-modified chelating agent, which is clearly absent from claim 12.

Therefore, it is respectfully submitted that the invention recited in claim 12, as well as in claims 13 through 15, which depend from claim 12, are patentably distinguishable over Quincy for at least the reasons set forth above.

In view of the foregoing, Applicant respectfully requests passage of this application to allowance.

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Respectfully submitted,



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